

AIR POLLUTION CONTROL
MINOR SOURCE
GENERAL PERMIT TO OPERATE

Pursuant to Chapter 23-25 of the North Dakota Century Code, and the Air Pollution Control Rules of the State of North Dakota, and in reliance on statements and representations heretofore made by the owner designated below, a Permit to Operate is hereby issued authorizing such owner to operate the source unit(s) at the location designated below. This Permit to Operate is subject to all applicable rules and orders now or hereafter in effect of the North Dakota Department of Health and to any conditions specified below:

1. Permittee: A. Name: Rock, Sand and Gravel, Inc. B. Address: P.O. Box 12345 Graveltown, ND 12345	2. A. Permit Number: R##### Renewal No.: 0 Revision No.: 0 B. Permit Description: True Minor Source: NDAC 33-15-14-03
3. Source Name & Location: Plant XXXX; Portable	4. Source Type: Rock, Sand & Gravel
5. Expiration Date:	
6. Description: The permittee operates a rock, sand and gravel plant in North Dakota. The facility may crush, screen, store and ship rock, sand and gravel.	
7. Source Unit(s)	

The source units at the rock, sand and gravel plant may include the following:

- Rock Crusher(s)
- Conveyor(s)
- Screen(s)
- Truck loadout
- Sand washer(s)

Storage pile(s)
Electrical Generator(s)

SPECIAL CONDITIONS

Special conditions will apply depending on the permitted source.

8. A. **Emission Limits:** Emission limits from the operation of the source unit(s) identified in Item 7 of this Permit to Operate (hereafter referred to as "permit") are as follows. Source units not listed are subject to the applicable emission limits specified in the North Dakota Air Pollution Control Rules.

<u>Source Unit(s)</u>	<u>Air Contaminant</u>	<u>Emission Limit</u>
All Units (Stack Emissions)	Opacity	*

* The opacity emission limit shall be as follows:

- 1) Existing Facilities:

20% for facilities for which construction commenced after July 1, 1970.
- 2) New Facilities: (For which construction commenced after August 31, 1983, but before April 22, 2008, subject to 40 CFR 60, Subpart OOO)

10% for Transfer Points
15% for Crushers
- 3) New Facilities: (For which construction commenced on or after April 22, 2008 subject to 40 CFR 60, Subpart OOO)

7% for Transfer Points
12% for Crushers

- B. **New Source Performance Standards (NSPS):** The owner/operator shall operate the facility in accordance with 40 CFR 60, Subpart OOO as incorporated into NDAC 33-15-12.
- C. **Process Restrictions:** The owner/operator shall restrict the amount of material processed by each plant to 1,500,000 tons in any 12-month period (12-month rolling average).
- D. **Recordkeeping:** The owner/operator shall record the amount of rock, sand or gravel processed each month and determine the total amount of aggregate processed during the previous 12-month period. Any time the amount of production exceeds the allowable limit, the owner/operator shall

notify the Department within 10 working days. The records regarding the amount of production shall be retained for five years and submitted to the Department upon request.

- E. **Operation of Air Pollution Control Equipment:** The owner/operator shall maintain and operate all air pollution control equipment in a manner consistent with good air pollution control practice for minimizing emissions.

GENERAL CONDITIONS

General conditions will apply to all permitted sources.

- F. **Plant Locations:** Locations should be selected that will minimize any adverse affects of plant operations on nearby residences.
- G. **Annual Emission Inventory/Annual Production Reports:** The owner/operator shall submit an annual emission inventory report or an annual production report, upon request, on forms supplied or approved by the Department.
- H. **Fugitive Emission:** The release of fugitive emissions shall comply with the applicable requirements in NDAC 33-15-17.
- I. **Source Operations:** Operations at the installation shall be in accordance with statements, representations, procedures and supporting data contained in the initial application, and any supplemental information or renewal application(s) submitted thereafter. Any operations not listed in this permit are subject to all applicable North Dakota Air Pollution Control Rules.
- J. **Alterations, Modifications or Changes:** Any alteration, repairing, expansion or change in the method of operation, or change of location of the source which results in the emission of an additional type or greater amount of air contaminants or which results in an increase in the ambient concentration of any air contaminant, must be reviewed and approved by the Department prior to the start of such alteration, repairing, expansion or change in the method of operation.
- K. **Nuisance or Danger:** This permit shall in no way authorize the maintenance of a nuisance or a danger to public health or safety.
- L. **Air Pollution from Internal Combustion Engines:** The permittee shall comply with all applicable requirements of NDAC 33-15-08-01 – Internal Combustion Engine Emissions Restricted.
- M. **Malfunction Notification:** The owner/operator shall notify the Department as soon as possible during normal working hours of any malfunction which can be expected to last longer than twenty-four hours and can cause the emission of air contaminants in violation of applicable rules and regulations. Immediate notification to the Department is required for any malfunction that would threaten health or welfare, or pose an imminent danger.

- N. **Permit Renewal and Invalidation:** This permit shall be effective from the date of its issuance until the date specified in Item 5 unless sooner suspended, revoked or surrendered. Upon suspension or revocation, the permit shall be returned to the Department. Application for renewal of this permit shall be submitted ninety days prior to such expiration date. The Department shall approve or disapprove the renewal of the permit within ninety days of receipt of the renewal application.
- O. **Change of Ownership:** This permit may not be transferred without prior approval from the Department.
- P. **Right of Entry:** Any duly authorized officer, employee or agent of the North Dakota Department of Health may enter and inspect any property, premise or place at which the source listed in Item 3 of this permit is located at any time for the purpose of ascertaining the state of compliance with the North Dakota Air Pollution Control Rules. The Department may conduct tests and take samples of air contaminants, fuel, processing material, and other materials which affect or may affect emissions of air contaminants from any source. The Department shall have the right to access and copy any records required by the Department's rules and to inspect monitoring equipment located on the premises.
- Q. **Other Regulations:** The owner/operator of the source unit(s) described in Item 7 of this permit shall comply with all State and Federal environmental laws and rules. In addition, the owner/operator shall comply with all local burning, fire, zoning, and other applicable ordinances, codes, rules and regulations.
- R. **Permit Issuance:** This permit is issued in reliance upon the accuracy and completeness of the information set forth in the application. The conditions of this permit herein become, upon the effective date of this permit, enforceable by the Department pursuant to any remedies it now has, or may in the future have, under the North Dakota Air Pollution Control Law, NDCC Chapter 23-25. Each and every condition of this permit is a material part thereof, and is not severable.

FOR THE NORTH DAKOTA
DEPARTMENT OF HEALTH

Date _____

By _____
Terry L. O'Clair, P.E.
Director
Division of Air Quality